

Applicants : Vladimir BAKHUTASHVILI  
U.S. Serial No.: 09/928,178  
Filing Date : August 9, 2001  
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#### REMARKS

On November 7, 2002, Applicant's undersigned attorney had a telephone conference with Examiner Davis, the Examiner assigned to this subject application.

Claims 1-10, 83 and 84 are pending in this application. By this Amendment, Applicant has cancelled claim 1-10, 83 and 84 without prejudice to Applicant's rights to pursue the subject matters in a future continuation or divisional application. Applicant has added new claims 85 to 88. Support for the new claim 85 may be found *inter alia* from old claim 63-66 and 83-84. Accordingly, there is no issue of new matters and Applicant respectfully requests the entry of the above Amendment. Therefore, upon entry, claims 85 to 88 are under examination.

#### Claim Objections and §112 Rejections

Applicant believes that new claims 85 to 88 obviate the above ground of objections and rejections.

#### §102 Rejection - Zetter

Zetter does not teach what is disclosed in Figure 2 or 3. Zetter cannot anticipate the claimed invention. Accordingly, Applicant respectfully requests the reconsideration and withdrawal of the above ground of rejection.

#### §103 Rejections - Tracey and Cialdi

Neither Tracey nor Cialdi discloses or teaches the claimed invention which related to the disclosure in Figure 2 or 3 of this application. Neither reference alone or in combination with other art could render the claimed invention obvious. Accordingly, Applicant respectfully requests the

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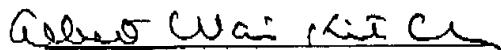
reconsideration and withdrawal of the above ground of rejection.

In view of the foregoing Amendment and discussion, Applicant believes that the above application is in condition for allowance and earnestly solicits a favorable Action from the Examiner.

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicant's undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee other than the one-month extension of time is deemed necessary in connection with the filing of this Amendment. However, if any additional fee is required, authorization is given to charge the amount of any such fee to Deposit Account No. 50-1891.

Respectfully submitted,



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# EXHIBIT A

Dkt. #627-A-US

-- 85. (New) A method for protecting against the effects of Tumor Necrosis Factor (TNF) in cells comprising contacting said cells with an effective amount of the composition with apoptosis modulating activity obtainable from human amniotic tissue having characteristic peaks as set forth in Figure 2 or Figure 3. --

-- 86. (New) A method for protecting against the effects of Tumor Necrosis Factor (TNF) in cells comprising contacting said cells with an effective amount of the composition with apoptosis modulating activity obtainable from human amniotic tissue having at least one characteristic peak as set forth in Figure 2 or Figure 3. --

-- 87. (New) A method for protecting against the effects of Tumor Necrosis Factor (TNF) in a subject comprising administering to the subject with an effective amount of the composition with apoptosis modulating activity obtainable from human amniotic tissue having characteristic peaks as set forth in Figure 2 or 3. -

-- 88. (New) A method for protecting against the effects of Tumor Necrosis Factor (TNF) in a subject comprising administering to the subject an effective amount of the composition with apoptosis modulating activity obtainable from human amniotic tissue having at least one characteristic peaks as set forth in Figure 2 or 3. --